

Memorandum



Date: September 20, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 3(B)(4)

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the name and title in the "From" field.

Subject: Resolution Ratifying the Execution of an Interlocal Agreement with the City of Doral for Sponsorship of an Adopt-a-Tree Event in the City of Doral

Recommendation

It is recommended that the Board of County Commissioners (Board) ratify the County Mayor's execution of an Interlocal Agreement (Agreement), Attachment A to the resolution, with the City of Doral (Doral). The Agreement provides that Doral will contribute toward, and be a sponsor of, the Adopt-a-Tree event held in Doral on September 17, 2016.

Scope

Doral is in Commission District 12, which is represented by Commissioner Jose "Pepe" Diaz.

Fiscal Impact/Funding Source

The cost to purchase trees for this Adopt-A-Tree event in Doral is approximately \$55,000.00, of which the City of Doral would provide \$15,000.00. Without the Agreement, the County would have been responsible for all costs related to this Adopt-a-Tree event. The County funds for the event are provided through the operating funds under Index Code PE442379 in the Department of Regulatory and Economic Resources.

Track Record/Monitor

Mr. Lee Hefty, Assistant Director, Division of Environmental Resources Management in the Department of Regulatory and Economic Resources, will monitor the Agreement.

Background

Since 2001, the Miami-Dade County Adopt-a-Tree Program has given away over 190,000 trees to residents of Miami-Dade County at various events held throughout the County. In 2009, 2010, and 2011, Doral entered into interlocal agreements with the County to co-sponsor Adopt-a-Tree events in Doral. Those Adopt-a-Tree events held in Doral distributed over 8,275 free trees. Due to the success of the past events, the City of Doral Council adopted Resolution No.16-130 (Attachment B) on June 8, 2016, which approved the Agreement and allowed Doral to provide up to \$15,000.00 toward the cost of trees for an Adopt-a-Tree event. Although Doral is providing funding, this Adopt-a-Tree event, like all Adopt-a-Tree events, is open to all owners of single-family homes and duplexes in Miami-Dade County, who can receive two (2) free trees per year.

Given that the City of Doral Council approved the Agreement on June 8, 2016, County staff did not receive the necessary documents in time for the July 2016 committee cycle. In order for the Agreement to be in effect prior to the Adopt-a-Tree event on September 17, 2016, the County Mayor executed the Agreement under the provisions of Sections 2-9 and 2-10 of the Code of Miami-Dade County (Code). Those sections of the Code allow the County Mayor to enter into contracts with other governments for joint performance with the County, for a period no longer than one (1) year, subject to ratification by the Board.

A handwritten signature in black ink, appearing to read "Jack Osterholt", written over the name and title in the signature block.

Jack Osterholt
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 20, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(B)(4)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(B)(4)
9-20-16

RESOLUTION NO. _____

RESOLUTION RATIFYING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF DORAL AND MIAMI-DADE COUNTY FOR SPONSORSHIP OF AN ADOPT-A-TREE EVENT IN THE CITY OF DORAL; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS THEREIN

WHEREAS, Sections 2-9 and 2-10 of the Code of Miami-Dade County permit the County Mayor to enter into certain contracts on behalf of the County with municipalities and other governmental units subject to ratification by the Board of County Commissioners; and

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board approves the interlocal agreement attached as Attachment A between the City of Doral and Miami-Dade County by which the City of Doral will provide up to \$15,000 toward the purchase of trees for an Adopt-a-Tree event in the City of Doral to be held in September 2016. This agreement was approved by the City of Doral via resolution (Attachment B).

Section 2. This Board ratifies the County Mayor's execution of the attached agreement, authorizes the County Mayor or County Mayor's designee to execute amendments to this agreement for time extension, accept additional funds that may become available for this agreement; and exercise the provisions contained in I through VIII of the agreement.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of September, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Abbie Schwaderer-Raurell

INTERLOCAL AGREEMENT

Between the City of Doral and Miami-Dade County

for Sponsorship of the Adopt-a-Tree Event in the City of Doral

Attachment A

This Interlocal Agreement by and between the City of Doral, Florida ("the City") and Miami-Dade County, Florida ("the County") is entered into to provide sponsorship of an Adopt-a-Tree event to be held within the City of Doral in September 2016 ("the Event"). For purposes of this Interlocal Agreement ("Agreement"), Miami-Dade County's Department of Regulatory and Economic Resources, Division of Environmental Resources Management shall administer this Interlocal Agreement for and on behalf of the County.

- I. The City agrees to contribute up to \$15,000 to the County for up to 1,150 trees to be given to the public during the Event. Prior to the Event, County staff shall coordinate with the City on the number and species of trees to stay within the tree budget provided by the City as well as to coordinate the date, time, location, logistics and related specifics.
- II. All other costs for the event shall be paid by the County or other sponsors or both, through the County.
- III. This Agreement shall commence upon final execution by both parties and shall terminate on September 30, 2016, unless otherwise amended as provided for herein.
- IV. Nothing herein shall constitute a waiver of Section 768.28 of the Florida Statutes or shall be construed as impacting or modifying the protections set forth therein.
- V. The City shall cooperate with the County in the selection of tree species within the parameters of the County's Adopt-a-Tree Program. Trees selected for the event shall be no greater than 3" trunk diameter/caliper in size. All trees shall be grade Florida #1 or better, in accordance with nursery industry guidelines in "Grades and Standards for Nursery Plants."
- VI. The City shall cooperate with the County on selection of the date, location and any decisions necessary for the Event. The County agrees to conduct all required work to obtain the trees for the Event. The County shall deliver the trees to the Event location one day prior to the Event unless other arrangements are mutually agreed upon by the parties.
- VII. The maximum amount the City shall reimburse the County for trees purchased for the Event and for the life of this Agreement is \$15,000.00.
- VIII. Deliverables and Payments.
 1. The City agrees to reimburse the County for costs of trees as set forth in this Agreement. The County shall provide to the City an invoice for the actual cost of all trees purchased for the Adopt-a-Tree event in the City.
 2. Payment by the City of the invoiced amount to the County shall be made not later than thirty (30) days after receipt of the invoice by the City.
- IX. This Agreement may be modified by amendment through mutual written agreement of both parties. All amendments to this Agreement shall be in writing and signed by both parties, and shall become effective as of the date of the final signatory unless otherwise noted therein.
- X. This Agreement becomes effective upon final execution by the parties:

For:

The City of Doral, Florida

Edward Rojas, City Manager

Date

6.23.15

DAE

For:

Miami-Dade County, Florida

County Mayor or County Mayor's Designee

Date

7-22-16

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RESOLUTION No. 16-130

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE COUNTY DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES FOR THE 2016 ADOPT-A-TREE PROGRAM; AUTHORIZING THE CITY MANAGER TO EXPEND AN AMOUNT NOT TO EXCEED OF \$15,000.00 ENCUMBERED FROM FISCAL YEAR 2013-2014 FOR THE SEPTEMBER 2016 ADOPT-A-TREE EVENT AT DORAL CENTRAL PARK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Adopt-a-Tree event was a great success whereby the City of Doral (the "City") has provided over 8,275 trees to our community due to the value they provide to our urban forest; and

WHEREAS, the event will be hosted and sponsored by the City and co-sponsored by the Miami-Dade County Department of Regulatory and Economic Resources ("RER"); and

WHEREAS, staff has recommended that the City Council authorizes the City Manager to enter into an inter-local agreement with RER for the 2016 Adopt-a-Tree event; and

WHEREAS, the \$15,000 are encumbered from fiscal year 2013-14 under the Public Works annual budget under account No.001.80005.500520, if approved, will cover the cost to purchase up to 1,150 trees; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

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Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

Section 2. Approval. The City Council of the City of Doral hereby authorizes the City Manager to enter into an inter-local agreement with RER, a copy of which is attached as Exhibit "A", for the 2016 City of Doral Adopt-a-Tree event and to expend an amount not to exceed of \$15,000, from the funds encumbered from fiscal year 2013-14, for the purchase of 1,150 trees for the event at Doral Central Park. The Interlocal agreement is hereby approved together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney. The City Manager is authorized to execute the agreement and expend budgeted funds on behalf of the City.

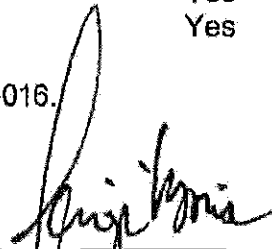
Section 3. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Councilmember Cabrera who moved its adoption. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:


Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Absent/Excused
Councilman Pete Cabrera	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Sandra Ruiz	Yes

PASSED AND ADOPTED this 8 day of June, 2016.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY